City of Phoenix

OFFICE OF ENVIRONMENTAL PROGRAMS

January 16, 2003

Ms. Rebecca Kane
Environmental Protection Agency
Office of Enforcement and Compliance Assurance MC 2222A
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Ms. Kane:

This memo provides comments (Attachment) submitted in response to the Environmental Protection Agency's (EPA) request for public comment on the Enforcement and Compliance History Online (ECHO) information system, which are due by January 21, 2003. These comments on the ECHO format will also be provided to the Arizona Department of Environmental Quality.

We are grateful for the opportunity to comment. We also commend EPA's efforts in designing a tool to help citizens, businesses, and others access environmental compliance information on facilities in their community.

Our general concern is the presence of numerous errors uncovered in our review. We are aware of, and have used, the online mechanism for forwarding recommended corrections. However, as a public database, these errors will be available for review by a wide number of people. In addition, the database information is refreshed every quarter and sometimes more often. Therefore, additional errors are likely in future updates. The information, so widely available, could also become a basis for citizen suits. We would prefer instead the opportunity to correct information before it becomes public.

Please note that this letter does not attempt to list all the errors we found. The errors will be reported through separate efforts. Should you have any questions or concerns, please contact Liz Paulus, Environmental Program Specialist, at (602)256-3447, or liz.paulus@phoenix.gov.

Sincerely,

Karen O'Regan

Karen O'Regan
Environmental Programs Manager

02-10-03P04:03

Attachment

cc: Henry Darwin, Arizona Department of Environmental Quality
        Liz Paulus, City of Phoenix
        Monica Rabb, City of Phoenix
        Bob Hollander, City of Phoenix
        Craig Reece, City of Phoenix

R:\Personal Files\KarenO\2003cor\epaecho.doc

Attachment
City of Phoenix
Comments on ECHO Format
January 16, 2003

The comment period for ECHO concludes January 21, 2003. Below are the comments on general format that submitted by the City of Phoenix:

> The nature of RCRA noncompliance under "Two Year Compliance Status by Quarter" cannot be determined and is not provided in the Data Dictionary;

> ECHO query identifies "Violations" in a major column but doesn't reflect if the violation has been resolved and the facility is in compliance;

> ECHO query columns are difficult to correlate with "Detailed Facility Report" tables;

> The "Detailed Facility Report" quarters are not consistent or always evident. For example, the current 2 years (8 quarters) should span Jan 01 and Sep 02;

> The information presented is not easily comprehended for a public access document. For example, the "Detailed Facility Report" has information and abbreviations that are undefined;

> There is difficulty in getting into the online correction field;

> The naming protocol for facilities within the same organization should be consistent. For the City of Phoenix, we recommend, "Phoenix, City of, (add the name of the facility)";

> The "violations" column is misleading and should be deleted. For example, violations are reported for the City's Squaw Peak facility as part of the Clean Water Act. The permit, however, was under administrative appeal at the time of the ECHO report. The administrative appeals have been closed and facilities to address the listed violations are now installed and operating. However, this is not reflected in the database. In addition, under the Clean Water Act, the required detailed monitoring lends itself to noting exceedences, which are then corrected by the organization. However, the results of monitoring are reflected in the "violations" column. The "violation" column would be more appropriate for an organization's regulatory performance. EPA does not enforce on a single action, rather through trends. The other option is to clarify that the column reflects the opportunity to correct. As stated above, it is misleading to not clarify the "violation" and how it may have been resolved;

> The information in the "Detailed Facility Report" is not organized in an easy-to-use fashion. Information on measurements and violations is sorted by parameter. As the permitee, it would be much easier to use if the information was sorted by reporting

period. A better option would be to select your own way of sorting the data.

➤ It appears that many of the entries on the "Detailed Facility Report" under the CWA related may be related to non-receipt of Discharge Monitoring Reports (DMRs). As such, if DMRs are not received on time, <u>all</u> the parameters will show "Non-receipt", when all you need is one entry to show that the DMR was not received.

➤ The "Help" functions are not very helpful and cannot be found on the "Detailed Facility Report" screens. It appears that there is no "Help" beyond the "Search Results" screen. For example, clarifying the abbreviations in the "Detailed Facility Report" would have been helpful.